

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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CIVIL NUM. 97-2150 (DRD) CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, P.R.

UNITED STATES OF AMERICA (RURAL DEVELOPMENT)

VS.

MARITZA SANCHEZ GONZALEZ, ET AL

FORECLOSURE OF MORTGAGE

# AFFIDAVIT

I, Marilisa Román, of legal age, married, employee and resident of Bayamón, Puerto Rico, do solemnly swear:

That my name is the above mentioned and my personal circumstances are those as stated. That I am an Employee, of "EL NUEVO DIA", newspaper of General Circulation in the Island of Puerto Rico, and that position in Advertising and Legal Notice Department Supervisor and I am in charge of the advertisement.

I also declare that in the edition of this newspaper corresponding

AUGUST 11, 18, 25 & SEPTEMBER 1, 2004

an advertisement was published that deals with the following:

HERMAN J. WIRSHING, U. S. MARSHAL  
BY:ROBERTO SCHMIDT, DEPUTY MARSHAL

In witness whereof and upon request of those concerned, I swear to and sign the present in Guaynabo, P.R. this SEP 02 2004 day of \_\_\_\_\_, 20\_\_\_\_.

Marilisa Román

Affidavit No. 41-4219

Acknowledged and sworn to before me by Marilisa Román and resident of Bayamón, Puerto Rico, whom I know personally.0000

Guaynabo, P.R.

SEP 02 2004

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NOTARY PUBLIC



Franco J. Gonzalez



United States District court for the District of Puerto Rico, United States of America (Rural Development) Plaintiff vs. Maritza Sanchez Gonzalez, Richard Allen Barada Pelot, and the conjugal partnership constituted by both, Defendants. Civil No. 97-2340 (DRD). Foreclosure of Mortgag. Notice of Sale. To: Maritza Sanchez

Gonzalez, Richard Allen Barada Pelot, and the conjugal partnership constituted by both, and any other party with interest over the property mentioned below. WHEREAS: Judgment in favor of the United States of America for the principal aggregate amount of \$413,372.65 plus \$8,261.23 in interest accrued as of September 19, 1996, plus \$9,9181 per day from then on until payment in full, plus attorney's fees and costs, plus any charge, fee, cost or disbursement that may have been incurred by plaintiff according to the terms of the promissory note or mortgage loan being foreclosed. The records of the case and of these proceedings may be examined by interested parties at the Office of the Clerk of the United States District Court, Federal Building, Chardón Avenue, Hato Rey, Puerto Rico. WHEREAS: Pursuant to the terms of the aforementioned judgment and the order of execution thereof, the following property belonging to the defendants will be sold at public auction: "RUSTICA: Radicada en la Urbanización Extensión Medina, situada en el Barrio Mora de Isabela, Puerto Rico, marcado con el número A Cinco, con un área de trescientos cincuenta y un metros cuadrados en lindes por el Norte, en veintitrés metros lineales con el solar A-Sés, por el Sur, en veintitrés metros lineales con el solar A cuatro, por el Este en trece punto cincuenta metros lineales con el solar A diez, y por el Oeste, en trece punto cincuenta metros lineales con la calle número quince. Sobre dicho solar encava una casa de concreto para fines residenciales". Plaintiff's mortgage is recorded at page 15, volume 266 of Isabela, property number 13,826, fifth inscription, at the Registry of the Property of Aguadilla, Puerto Rico. WHEREAS: This property is subject to the following liens: Senior Liens: NONE. Junior Liens: NONE. Other Liens: Potential bidders are advised to verify the extent of preferential liens with the holders thereof. It shall be understood that each bidder accepts as sufficient the title and that prior and preferential liens to the one being foreclosed upon, including but not limited to any property tax liens, (express, tacit, implied or legal), shall continue in effect it being understood further that the successful bidder accepts them and is subrogated in the responsibility for the same and that the bid price shall not be applied toward their cancellation. WHEREAS: For the purpose of the first judicial sale, the minimum bid agreed upon by the parties in the mortgage deed will be \$39,200.00 and no lower offer will be accepted. Should the first judicial sale of the above described property be unsuccessful, then the minimum bid for the property on the second judicial sale will be two-thirds the amount of the minimum bid for the first judicial sale. The minimum bid for a third judicial sale, if the same is necessary, will be one-half of the minimum bid agreed upon the parties in the aforementioned mortgage deed. (30 L.P.R.A. 2721, Mortgage and Property Registry Act, Act. No. 198, Article 221, as amended). WHEREAS: Said sale to be made by the United States Marshal is subject to confirmation by the United States District Court for the District of Puerto Rico and the deed of conveyance and possession to the property will be executed and delivered only after such confirmation. NOW THEREFORE, public notice is hereby given that the United States Marshal, pursuant to the provisions of the Judgment hereinbefore referred to will, on the 7th day of September 2004 at 11:00 A.M. of said day, in the Office of the Marshal for the Superior Court of Puerto Rico, Aguadilla Part, located at Centro Judicial, Calle Progresso #70, Aguadilla, Puerto Rico, in accordance with 28 U.S.C. 2001, will sell at public auction to the highest bidder, the property described herein, the proceeds of said sale to be applied in the manner and form provided by the said judgment. Should the first judicial sale set hereinabove be unsuccessful, the second judicial sale of the property described in this Notice will be held on the 14th day of September 2004 at 11:00 A.M. of said day, in the Office of the Marshal of this Court located at the address indicated above. Should the second judicial sale set hereinabove be unsuccessful, the third judicial sale of the property described in this Notice will be held on the 21th day of September 2004 at 11:00 A.M. of said day, in the Office of the Marshal of this Court located at the address indicated above, San Juan, Puerto Rico, this 23<sup>rd</sup> day of July, 2004. Herman J. Wirsching, United States Marshal. By: Robert Schmidt, Deputy Marshal. 8358133

